



**CHRIS CHRISTIE**  
Governor

**KIM GUADAGNO**  
Lt. Governor

## *New Jersey Office of the Attorney General*

Division of Consumer Affairs  
New Jersey State Board of Optometrists  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



**JOHN J. HOFFMAN**  
Acting Attorney General

**STEVE C. LEE**  
Acting Director

**Mailing Address:**  
P.O. Box 45012  
Newark, NJ 07101  
(973) 504-6440

# **DECEMBER 17, 2014 PUBLIC SESSION AGENDA SUSSEX CONFERENCE ROOM, 6<sup>TH</sup> FLOOR 9:00a.m.**

## **I OPENING STATEMENT AND ROLL CALL**

## **II APPROVAL OF MINUTES**

Approval of the October 15, 2014 Public Session Minutes.

## **III ELECTION FOR BOARD SECRETARY**

## **IV 2015 FISCAL REVIEW**

Darlene Kane, Fiscal Officer to report on Budget for Fiscal Year 2015.

## **V NEW BUSINESS**

- a. Harvey Richman submits an inquiry for Board review in regards to whether a "regular" optometric license allows for surgical procedures such as foreign body removal.
- b. Lisa Fennell/Paula Garshowitz, O.D., Registrar, College of Optometrists of Ontario submits an inquiry for Board as to whether optometrists in New Jersey are allowed to treat their spouses and if so what are the consequences of discipline.
- c. Lisa Fennell submits an inquiry for Board review in regards to a company recruiting optometrists for online eye exams and is inquiring as to what policies, rules or regulations the State of New Jersey pursued on the subject of optometric kiosks, online eye exams or telemedicine; have any businesses begun offering services through kiosks or online eye exams; what are the names of these businesses; what strategies have been employed to deal with these businesses or providers; has the Board had any legal challenges or taken legal action regarding this problem and if so what was the result.

**V NEW BUSINESS (cont.)**

- d. Jack Sol Mermelstein, O.D., submits an inquiry for Board review in regards to denial of payment from Federal BCBS, Horizon BCBSNJ, Oxford and Aetna for in-home visits and nursing home care.
- e. Howard R. Cooper, Executive Director if the New Jersey Society of Optometric Physicians submits an inquiry in regards to a rule issued by the Federal Drug Enforcement Administration in which New Jersey Optometrists cannot prescribe hydrocodone. Dr. Cooper is inquiring as to disciplinary actions taken by the Board regarding the prescribing of hydrocodone drugs over the pas ten years.

**VI HANDOUTS**

**VII ADJOURNMENT**